

REMARKS

This Response is submitted in reply to the Office Action dated April 30, 2012. Claims 29-35, 62, and 64-93 are pending in this Application, wherein Claims 19, 20, 36-40, 61, 63, and 67-93 were previously withdrawn. In this Response, Claims 29, 64, and 65 are amended. No new matter has been added by the amendments. Favorable reconsideration is respectfully requested.

Election by Original Presentation

Applicants newly added Claims 67-93 in the Amendment dated February 10, 2012. The Examiner withdrew Claims 67-93 from consideration as being directed to a non-elected invention. Specifically, the Examiner stated on page 2 of the Office Action (emphasis in original):

Newly submitted claims 67-93 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Newly submitted claims recite the determination of an adjusted price based at least in part on a result associated with at least one of a stage of development of an *automobile*, an approval process of an *automobile*, and performance testing of an *automobile*.

However, Claims 67-93 are ***not related*** to adjusting price based on a stage of development of automobile, an approval process of an automobile, or performance testing of an automobile. Instead, the claims are directed to an electronic ticket management device, an electronic ticket management method, or a non-transitory computer readable storage medium.

Accordingly, the Examiner's interpretation of the invention that Claims 67-93 are directed to does not seem to be in accordance with the actual claims, and the withdrawal of Claims 67-93 from consideration based on the claims being directed to adjusting price and automobiles is improper. Thus, Applicants respectfully request Claims 67-93 be entered and considered by the Examiner.

If the Examiner maintains that Claims 67-93 are directed to a non-elected invention, Applicants respectfully request the Examiner clarify how Claims 67-93 are being interpreted because they are clearly not directed to adjusting price and automobiles as the Examiner alleged.

Rejections under 35 U.S.C. 103

The Office Action rejected:

- i. Claims 29-31, 33-35, and 62 under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0105641 to Lewis (“Lewis”) in view of U.S. Patent No. 6,216,227 to Goldstein et al. (“Goldstein”), and further in view of U.S. Publication 2009/0125429 to Takayama (“Takayama”);
- ii. Claims 64-66 under 35 U.S.C. 103(a) as being unpatentable over Lewis, in view of Goldstein and Takayama, and further in view of U.S. Patent No. 7,392,226 to Sasaki (“Sasaki”); and
- iii. Claim 32 under 35 U.S.C. 103(a) as being unpatentable over Lewis, in view of Goldstein and Takayama, and further in view of U.S. Patent No. 6,067,532 to Gebb (“Gebb”).

Applicants respectfully disagree with and traverse these rejections for at least the following reasons.

Independent Claim 29 has been amended to recite, in part, “causing the electronic ticket platform center to: (i) receive a password, specified by the user of the first information storage chip and to be entered by a user of a second information storage chip, for writing at least one of the plurality of electronic tickets into the second information storage chip which is separate from the first information storage chip; (ii) assign the at least one of the plurality of electronic tickets from the first information storage chip to at least the second information storage chip... (iv) write the at least one of the plurality of electronic tickets to the second information storage chip after the user of the second information storage chip enters the password specified by the user of the first information storage chip.” The amendment is fully supported by the specification. For example, see at least paragraphs [0267]-[0278] and Figs. 40 and 41 of the published specification. Moreover, similar subject matter was previously claimed in dependent Claims 64-66.

As discussed with respect to dependent Claim 64, the Examiner recognized that Lewis and Takayama do not teach receiving a password for writing at least one electronic ticket into another information storage chip. Office Action, p. 15-17. Given these deficiencies, the Examiner turned to Sasaki to teach these limitations are previously recited.

Sasaki’s abstract discloses:

An electronic ticket management system includes an event organizer for planning an event, an electronic ticket seller for distributing electronic ticket information which authenticates the right to attend the event, an information storage chip for storing the electronic ticket information, and an electronic ticket platform center for managing the distribution of the electronic ticket information. The electronic ticket platform center forms an electronic ticket information master based on event information registered by the event organizer, and relates ticket issuing information registered by the electronic ticket seller to the electronic ticket information master. The electronic ticket platform center also issues the tickets by writing the electronic ticket information into the corresponding information storage chip based on ticket issuing information. A determination as to whether the user is permitted to enter the event venue is made according to the integrity of the event information stored in the information storage chip.

In other words, rather than using a user ID and password for authentication when connecting to a network or receiving an information service, Sasaki uses an electronic ticket certificate for authentication. This electronic ticket certificate corresponds to an electronic ticket which may include information on whether the electronic ticket can be transferred to another person. Col. 11, ln. 20-31. However, *the certificate (regardless if the certificate is equivalent to a password) is not something specified by a first user to be input by a second user* who the ticket is to be transferred to. Instead, the certificate is merely something used to authenticate the first user, and not the transfer of a ticket to the second user.

On the other hand, Applicants claim “a password, *specified by the user of the first information storage chip* and *to be entered by a user of a second information storage chip*, for writing at least one of the plurality of electronic tickets into the second information storage chip” and “write the at least one of the plurality of electronic tickets to the second information storage chip after *the user of the second information storage chip enters the password specified by the user of the first information storage chip.*”

Furthermore, Claim 66 clarifies “the login password is *separate* from the password, specified by the user of the first information storage chip, for writing the at least one of the plurality of electronic tickets into the second information storage chip.” Sasaki is completely silent regarding any type of authentication besides a login authentication using the certificate.

Moreover, Sasaki describes related art that uses IDs and passwords in electronic ticket systems. Col. 2, lines 1-24. Sasaki criticizes these systems and lists several problems with using IDs and passwords. Col. 2, lines 23-44. For example, “the service provider needs to provide a

database, etc., for managing information of the registered membership IDs, passwords, etc., and thus must bear the high administration cost.” Col. 2, lines 37-40. In view of these problems, Sasaki replaces the IDs and passwords with a “network electronic ticket” that is stored in the user’s network-linked electronic ticket.

Thus, the personal consumer need not register his or her ID or password for the provider and need not enter the ID or password each time and safety is enhanced and the convenience of the personal consumer is also improved. The service provider need not provide a database for managing the information of the registered membership IDs, passwords, etc., and the costs of the entire system can be reduced.

Col. 30, lines 15-22. Thus, Sasaki discloses that IDs and passwords are not entered, and that no database is provided to manage IDs and passwords. Therefore, Sasaki specifically criticizes, discredits, and replaces the use of IDs and passwords, and does not suggest “when determining if the ticket can be transferred to another person, this ID and password is applied” as the Examiner alleged. Office Action, p. 17. Accordingly, Sasaki does not suggest using a password to transfer tickets, or for any other purpose.

Accordingly, Applicants respectfully request the obviousness rejection with respect to independent Claim 29, and the claims that depend thereon, be reconsidered and withdrawn.

Unaddressed Argument in Previous Response

In the Office Action dated November 10, 2011, the Examiner stated:

In addition, applicant argues that Sasaki does not disclose using IDs and passwords as described in the present invention, since Col. 30, lines 15-22 of Sasaki discloses “Thus, the personal consumer need not register his or her ID or password for the provider and need not enter the ID or password each time and safety is enhanced and the convenience of the personal consumer is also improved. The service provider need not provide a database for managing the information of the registered membership IDs, passwords, etc., and the costs of the entire system can be reduced”, and applicant further argues that Sasaki discloses that IDs and passwords are not entered, and that no database is provided to manage IDs and passwords. However, examiner interprets that this passage of Sasaki shows that the ID and password do not need to be entered each time. Thus, in Sasaki, *the ID and password need to be entered in at least one time*, and examiner therefore disagrees with the applicant’s analysis of the Sasaki reference.

P. 22 and 23. (emphasis added). Applicants previously rebutted this response in the Response dated February 10, 2012, but *the Examiner did not respond to these arguments*. Accordingly, it

is unclear whether the Examiner agreed with Applicants' arguments and changed the interpretation of Sasaki, or whether the Examiner maintained this interpretation of Sasaki and merely did not respond to Applicants' arguments. Applicants maintain that the Examiner's interpretation of Sasaki is improper for at least the following reasons as previously argued.

First, the Examiner's interpretation that "the ID and password need to be entered in at least one time" is inconsistent with the rest of Sasaki's disclosure. Sasaki explicitly discloses "the personal consumer *need not register his or her ID or password* for the provider" and "[t]he service provider *need not provide a database for managing the information* of the registered membership IDs, passwords, etc." Col. 30, ln. 15-22. Thus, if Sasaki does enter an ID and password as the Patent Office alleged, the entered ID and password would be of no use for authentication. For example, because the consumer does not register an ID and password in advance, there would be no way of associating the entered ID and password with the consumer. Likewise, because there is no database provided for managing registered IDs and passwords, there is no way to check whether the entered ID and password are correct. In other words, entering a user ID and a password at least one time is useless for authentication unless the consumer has already registered an ID and password, and there is a way to manage the registered information.

Second, the Examiner provides no support or citation for the claim that Sasaki discloses "the ID and password need to be entered in at least one time." Applicants respectfully submit that this is because no such citation exists. For example, rather than using an ID and password each time (or anytime) to authenticate a consumer, Sasaki only discloses using an electronic ticket to authenticate a user. Abstract, col. 2, ln. 47-65, and Figs. 7 and 8. The only time Sasaki discusses entering IDs and passwords is in the Background section to describe the problems associated with using IDs and passwords (Col. 2, ln. 25-43), and near the end of the Detailed Description to discuss the advantages of using the electronic ticket over IDs and passwords (Col. 30, ln. 15-22). Thus, Sasaki specifically *teaches away* from entering IDs and passwords at anytime, and does not disclose "the ID and password need to be entered in at least one time."

Therefore, the Examiner's assertion that Sasaki teaches "the ID and password need to be entered in at least one time" is in direct contradiction to the explicit language of Sasaki.

Accordingly, Applicants respectfully request the obviousness rejection with respect to independent Claim 29 and dependent Claim 64 be reconsidered and withdrawn.

If the rejection is maintained, Applicants respectfully request the Examiner i) provide a citation to support this interpretation of Sasaki, and ii) clearly explain how the alleged entered ID and password are used for authentication given that IDs and passwords are not registered, and no database is provided to manage IDs and passwords.


Conclusion

An earnest endeavor has been made to place this application in condition for formal allowance, and allowance is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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